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PPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION N
09/990,771	11/21/2001	Nelson Diaz	47084/SAH/C715 1827 EXAMINER	
	90 10/06/2003			
BARLOW, JOSEPHS & HOLMES, LTD. 101 DYER STREET 5TH FLOOR PROVIDENCE, RI 02903			DAVIE, JAMES W	
			ART UNIT	PAPER NUMBER
			2828	
			DATE MAILED: 10/06/2003	3

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)					
Office Asking Commence.	09/990,771	DIAZ ET AL.					
Office Action Summary	Examiner	Art Unit					
	James W Davie	2828					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Peri d for Reply							
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, - Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). Status	36(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication.					
1) Responsive to communication(s) filed on <u>21 N</u>	Joyamhar 2001						
<u> </u>	is action is non-final.						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disp sition of Claims	-						
4) Claim(s) <u>1-66</u> is/are pending in the application.							
4a) Of the above claim(s) is/are withdraw	n from consideration.						
5) Claim(s) is/are allowed.	_						
6) Claim(s) is/are rejected.							
7) Claim(s) is/are objected to.							
 8) ☐ Claim(s) <u>1-66</u> are subject to restriction and/or e Application Papers 	lection requirement.						
9)☐ The specification is objected to by the Examiner	,						
10) ☐ The drawing(s) filed on 11/21/01 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
Applicant may not request that any objection to the	•						
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.							
If approved, corrected drawings are required in repl		,					
12) The oath or declaration is objected to by the Examiner.							
Pri rity under 35 U.S.C. §§ 119 and 120							
13) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a))-(d) or (f).					
a) ☐ All b) ☐ Some * c) ☐ None of:	•	•					
1. Certified copies of the priority documents	have been received.						
2. Certified copies of the priority documents	have been received in Application	on No					
 3. Copies of the certified copies of the priorit application from the International Bure * See the attached detailed Office action for a list of 	eau (PCT Rule 17.2(a)).	G					
14) Acknowledgment is made of a claim for domestic	•						
a) The translation of the foreign language prov 15) Acknowledgment is made of a claim for domestic	visional application has been rece	eived.					
Attachment(s)	,						
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of Informal Pa	(PTO-413) Paper No(s) Patent Application (PTO-152)					
B. L. J. Y. J. C. S.							

Application/Control Number: 09/990,771

Art Unit: 2828

DETAILED ACTION

Election/Restrictions

1. Claim 1 is generic to a plurality of disclosed patentably distinct species comprising apparatus, methods and circuits for driving lasers. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, even though this requirement is traversed.

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

2. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James W Davie whose telephone number is (703) 308-4847. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Ip can be reached on (703) 308-3098. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

James W Davie Primary Examiner Art Unit 2828

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